

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NORTH DAKOTA

**IN RE:**

**Jamieson CAPEX Fund, LLC**

**CASE NO. 24-30422**

**Debtor**

**CHAPTER 11**

**REPLY**

Thomas J. Kapusta, Subchapter V Trustee (Trustee), files this Reply to the Reply to Objection by The Dakota Bankruptcy Firm (Doc. 113) ["Reply" and Joinder by Debtor to Doc. 113 (Doc. 114) ["Joinder"]]. In support of the reply, Trustee states the following:

1. The Court approved Subchapter V Trustee fees and expenses on February 25, 2025, in the total amount of \$1137.50.
2. On March 17, 2025, Trustee reached out to Debtor Counsel via email to determine status of payment of approved fees and expenses and received a response indicating that it would be investigated (See Attachment to this Reply).
3. On March 25 & 28, 2025, Trustee again reached out for status of payment (see Attachment).
4. On April 4, 2025, Debtor Counsel represented that payment was in the mail (See Attachment).
5. On April 17, 2025, when payment had still not been received, Trustee advised Debtor Counsel of same (see Attachment).
6. Since, on April 1, 2025, Application for Compensation for Chief Restructuring Officer was filed (doc.#110) and Trustee had been advised that the Chief Restructuring Officer was responsible for drafting checks for payments by Debtor Counsel, Trustee became concerned that Debtor would prioritize Chief Restructuring Officer compensation over Trustee's prior approved fees and expenses and filed Objection to any such priority (doc.#111) thus causing Trustee to file the Objection (doc.# 111).
7. The only issue before the Court is payment priority of administrative expenses. The bulk of the argument by Debtor Counsel in doc. #113 is superfluous and irrelevant to that issue.

8. Trustee is not opposed to the pro rata payment as suggested in doc.#118 filed by U.S. Trustee Robert B. Raschke (Wencil, Sarah).

Dated: April 28, 2025

Signed: s/Thomas J. Kapusta

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Sub Chapter V Trustee

#### **CERTIFICATE OF SERVICE**

Thomas Kapusta, Subchapter V Trustee, hereby certifies the filing of this document caused service via CM/ECF upon all CM/ECF recipients.

Dated: April 28, 2025

/s/ Thomas Kapusta  
Thomas Kapusta